

## **Exhibit 4**

Johnson, Jerome 6/10/2008 9:28:00 AM

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF MINNESOTA

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4 Case No. 6:07-cv-607 (E.D. Tex.)

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6 Triton IP, LLC,

7 Plaintiff,

8 vs.

9 Sage Group, PLC, et al.,

10 Defendants.

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15 CONFIDENTIAL - ATTORNEYS' EYES ONLY

16 DEPOSITION OF JEROME JOHNSON

17 VOLUME 2

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25 TAKEN ON: 6/10/2008 BY: DANA ANDERSON

1 art and we told him what the functionality  
2 was and he documented it for us to create  
3 the application.

4 BY MR. DION:

5 Q. Did he tell him that the functionality was  
6 recognizing an event carried out by one or  
7 more of the subsystems?

8 A. I don't recall exactly what we said.

9 Q. So just to be clear, is your testimony that  
10 you don't understand what inferring means?

11 MR. NEWTON: Object to form.

12 THE WITNESS: You are asking me if  
13 inferring is different than this  
14 (indicating)?

15 BY MR. DION:

16 Q. I'm asking you if inferring is different from  
17 recognizing, right.

18 A. And I would want -- I would have to get a  
19 definition of inferring.

20 Q. Like I said, the word "inferring" shows up in  
21 the claim that describes something you  
22 invented.

23 A. Right.

24 Q. So in the context of the description of your  
25 invention, are you saying for the record that

1       you don't understand what inferring means?

2               MR. NEWTON: Object to form.

3               THE WITNESS: Yes.

4   BY MR. DION:

5   Q. And you also don't know if it's the same or

6       different than recognizing as used in the

7       specification?

8               MR. NEWTON: Object to form.

9               THE WITNESS: Correct.

10  BY MR. DION:

11  Q. Is the sentence that I directed your

12       attention to in column 2, is that an accurate

13       description of at least a part of what your

14       invention did?

15  A. I have no reason to believe not.

16  Q. So part of what the invention did would be to

17       recognize an event carried out by one of the

18       subsystems, is that correct?

19  A. Yes.

20  Q. If I could perhaps take you back to our

21       example. Based on this language

22       (indicating), when the salesperson entered

23       their proposal into the system, where in that

24       example would the system recognize an event?

25               MR. NEWTON: Object to form.